

IN The District Court of The United
States For The Middle District of ALABAMA
Northern CEADIVISON

2006 JAN 18 A 9:51
Roderick Leonandra Moore

AIS # 146853

PLAINTIFF

V.

Kathy Holt, Etal.

Defendants.

Civil Action # 2:05-CV-
1203 -MHT
[Two]

Motion to object

Come Now the Plaintiff Roderick Leonandra Moore
AIS #146853 (Pro-se) Moves this honorable Court
in the Above Style And Cause with A Motion of
object for the following Reason's hear in Stated.

- 1) The Plaintiff Strongly object to the Finding And
Recommendation of the Magistrate Judge to dismiss
his Complaint AS improper under 1983.
- 2) The Plaintiff File his Complaint Properly under
the Constitution using the proper Vehicle { 1983
Civil Complaint for which to Address to this
honorable Court.
- 3) The Court has Construed that the Plaintiff
is being force to serve time twice on A
Split that Needs to be remanded through A
Habeas Corpus which is not the basic of the Complaint.

- 4) The Plaintiff maintains in his Complaint that he has Already been forced to serve time twice on A Split that only Required one time And that because of the fact that this was done illegally And Against My Constitutional Rights, the damages incurred must give rise to remedy in A 1983 Complaint Civil Vehicle.
- 5) The Plaintiff wants to make clear to this Honorable Court that this is not an attack on an Illegal Sentence or Conviction but merely A Complaint Addressing A Civil Matter in Violation of the Plaintiff Constitutional Rights.
- 6) On 3-9-95 the Plaintiff received A 15 Split 2 yr. Sentence from the Circuit Court of Montg, County Ala. This Split was in fact honored in 1997, And the Plaintiff was released in 1998 due to an Additional Sentence for which the Plaintiff was serving Prior to receiving A 15 Split 2 yr.
- 7) On 6-5-98 the Plaintiff violated his Conditions of Release by gaining A New Charge for which he was Sentence to A term of just 15 yrs to run Concurrently with the remainder of the time Left from the Split Sentence And Prior Sentences.

8) The Plaintiff contends as did in his previous Complaint that after serving 5 yr, 1 month. the Plaintiff was granted parole but, He was not released because the State of ALA Dept of Corr, in the Legal division of Central Record wanted me to serve the split on the escape time again and upon completion of serving that time twice which was two years. I was released on Parole in 3-19-05.

Here again to entertain this Complaint would not interfere with the Judgement or Sentence but would merely Address the Validity of A Civil Matter based on the Constitution.

This objection is taken in good faith with prayers that this honorable Court would go back and re examine the Plaintiff initial Complaint and Allegations.

Done this the 1mo of 16 06

Respectfully Submitted
Roderick Moore